

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

STEVEN LARON MCARTHUR
ADC #95870

PLAINTIFF

V.

5:04CV00267 JMM/JTR

KIM LUCKETT, Assistant Warden,
Cummins Unit, Arkansas Department
of Correction; and EDWARD SMITH,
Food Production Manager, Cummins Unit,
Arkansas Department of Correction

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended Partial Disposition submitted by United States Magistrate Judge J. Thomas Ray. No objections have been filed. After carefully considering these documents and making a *de novo* review of the record in this case, the Court concludes that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

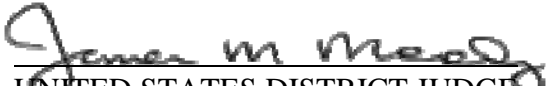
IT IS THEREFORE ORDERED that:

1. Defendant Lockett's Motion for Summary Judgment (docket entry #51) is GRANTED, and Plaintiff's discrimination and retaliation claims against him are DISMISSED, WITH PREJUDICE.

2. Plaintiff's Motion to Amend the Complaint (docket entry #59) is GRANTED as to his request to include two new claims against Defendant Lockett, and DENIED in all other respects.

Plaintiff is directed to file a Second Amended Complaint which is consistent with the findings set forth in the Recommended Partial Disposition, within five (5) days of this Order.

Dated this 3 day of April, 2007.


UNITED STATES DISTRICT JUDGE